Patent Owner's Docket No. P-1021A**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of \_\_\_\_\_  
Inventor(s)for \_\_\_\_\_  
Title of invention**OR**In re application of: Dick, et al. ✓Application No.: 0 10 / 787,422 ✓

Group Art Unit:

Filed: February 26, 2004 ✓

Examiner:

For: IRREVERSIBLE HUMIDITY  
INDICATOR CARDS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

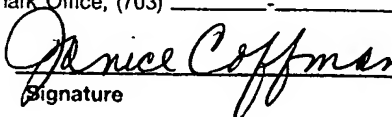
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I hereby certify that, on the date shown below, this correspondence is being:

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**TRANSMISSION**☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_Date: 4-20-2004

  
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Janice Coffman

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\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

(1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.

(2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.

(3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.

(4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.

(5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

**WARNING:** No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

**NOTE:** The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

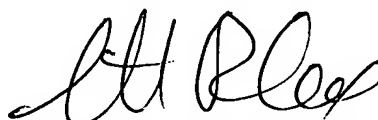
**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office  
Action [6-3]—page 2 of 3)

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.



SIGNATURE OF PRACTITIONER

Scott R. Cox

(type or print name of practitioner)

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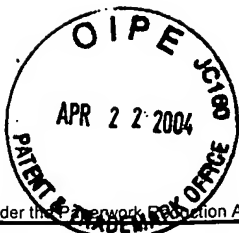
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

**Complete if Known**

Application Number	10/787,422
Filing Date	February 26, 2004
First Named Inventor	Dick, S.O., et al.
Art Unit	
Examiner Name	
Attorney Docket Number	P-1021A

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2,214,354	09-10-1940	Snelling, M.G.	
		US- 2,249,867	07-22-1941	Snelling, M.G.	
		US- 2,460,065	01-25-1949	Davis, P.B.	
		US- 2,460,066	01-25-1949	Davis, P.B.	
		US- 2,460,067	01-25-1949	Davis, P.B.	
		US- 2,460,068	01-25-1949	Davis, P.B.	
		US- 2,460,069	01-25-1949	Davis, P.B.	
		US- 2,460,070	01-25-1949	Davis, P.B.	
		US- 2,460,071	01-25-1949	Davis, P.B.	
		US- 2,460,072	01-25-1949	Davis, P.B.	
		US- 2,460,073	01-25-1949	Davis, P.B.	
		US- 2,460,074	01-25-1949	Davis, P.B.	
		US- 2,526,938	10-24-1950	Davis, P.B.	
		US- 2,580,737	01-01-1952	Davis, P.B.	
		US- 2,627,505	02-03-1953	Goodwin, M.E.	
		US- 2,716,338	08-30-1955	Blinn, W.C.	
		US- 3,084,658	04-09-1963	Schell, E.H.	
		US- 3,680,364	08-01-1972	Carrier, R.E.	
		US- 3,898,172	08-05-1975	Reif, R.B.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Complete if Known**

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Filing Date	February 26, 2004
First Named Inventor	Dick, S.O., et al.
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Sheet 2 of 3**U. S. PATENT DOCUMENTS**

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		Number-Kind Code <sup>2</sup> (if known)			
		US- 4,034,609	07-12-1977	Fuller, D.L.	
		US- 4,050,307	09-27-1977	McMullen, W.C.	
		US- 4,150,570	04-24-1979	Fuller, D.L.	
		US- 4,793,180	12-27-1988	Stewart, R.K.	
		US- 4,854,160	08-08-1989	Glatt, O.G.	
		US- 5,224,373	07-06-1993	Williams, C.A.	
		US- 2,951,461	09-06-1960	Lockwood, H.A.	
		US- 4,098,120	07-04-1978	Manske, W.J.	
		US- 4,205,043	05-27-1980	Esch, V.H.	
		US- 5,875,892	03-02-1999	Martin, M.	
		US- 5,964,181	10-12-1999	Pereyra, R.J.	
		US- 5,997,927	12-07-1999	Gics, P.W.	
		US- 6,698,378	03-02-2004	Dick, S.O.	
		US- 2002/0000184	01-03-2002	Paton, E.	
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		Application Number	10/787,422
		Filing Date	February 26, 2004
		First Named Inventor	Dick, S.O., et al.
		Art Unit	
		Examiner Name	
Sheet 3	of 3	Attorney Docket Number P-1021A	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		W.B. ABEL, Chemical Maximum Humidity Indicator Update Report, BDX-613-1989	

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